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Prior Application Art Unit: 1616

Prior Application Examiner: R. Dewitty

SIR: ~~This is a request for filing a Continued Prosecution Application as a:~~

☒ Continuation or ☐ Divisional application under 37 C.F.R. § 1.53(d) of pending prior nonprovisional Application No. 09/622,094 filed October 17, 2000 for "Drug Delivery System" by the following named inventor(s):

GRAHAM FRANCOIS DUIRS

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☒ Applicant hereby petitions for a three (3) month extension of time. The filing fee includes the amount of \$920.00 to cover the cost of this extension of time.
2. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
3. ☐ Enter the amendment previously filed on [Date] under 37 C.F.R. § 1.116 but unentered, in the prior application.
4. ☒ A Preliminary Amendment is enclosed.
5. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53 (d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

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06/19/2002 JADD01

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- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	18	-	20		x \$18	
Independent Claims	1	-	3		x \$84	
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	\$ 280.00
Subtotal						\$ 1,020.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 1,020.00

7. ☒ A check in the amount of \$1940.00 to cover:
\$1,020.00 application filing fee; and
\$920.00 three month extension of time fee.
8. ☒ The Commissioner is hereby authorized to charge any fees including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-0916.
9. ☐ Small entity status is appropriate and applies to this application.
10. ☒ Priority of application Nos. 329799 filed on February 13, 1998 and 332795 filed on November 13, 1998 in New Zealand and PCT application No. PCT/NZ99/00016 filed on February 9, 1999 are claimed under 35 U.S.C. § 119. A certified copy
☐ is enclosed or ☒ is on file in the prior application.
11. ☒ The prior application is assigned of record to:
Graham Francois Duris and Lindsay Alison Duris
17 McFarlane Street
Hamilton, New Zeland
12. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593;

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13. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
14. ☐ Recognize as associate attorney _____

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15. ☐ Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/622,094 for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that any member of the public, who is entitled under the provisions of § 1.14 to access to, copies of, or information concerning either the prior application or any continuing application filed under the provisions of 37 C.F.R. § 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 18, 2002

By: David W. Hill
David W. Hill
Reg. No. 28,220

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